

Applicant Initiated Interview Request Form

Application No.: 10806878 First Named Applicant: Leon M. Clements et al.
Examiner: Phongsvirajati Poonsin Art Unit: 4176 Status of Application: non-final

Tentative Participants:

(1) Denver S. Bisignano (2) _____
(3) _____ (4) _____

Proposed Date of Interview: 09/14/2009 Proposed Time: 3:00 PM EST AM/PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1-36</u>	<u>Chudy 2004/0088187</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>1-36</u>	<u>Hingorane 7,278,028</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej.</u>	<u>1-36</u>	<u>Dept. of Health - A Pharmacy Service for Prisoners</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Argument to be Presented:

See Attachment 1

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature
Denver S. Bisignano

Examiner/SPE Signature _____

Typed/Printed Name of Applicant or Representative
60,693

Registration Number, if applicable _____

Brief Description of Arguments (Application No. 10/806,878)

Applicants respectfully submit that neither of the cited patent documents, alone nor in combination, disclose, teach, or suggest the various claimed embodiments of the Applicants invention including computerized systems, program storage device, and methods: which, for example: can make comprehensive electronic medical records visible to the pharmacist to allow the pharmacist to make decisions regarding the suitability of physician prescribed medications; which can include provisions for a multistage electronic consumption documentation process that includes documenting actual dispensation, documenting receipt, and documenting actual verified consumption of a prescribed medication; and/or which can include provisions for updating the electronic medical records and/or generating reports based upon whether the medication was consumed to enhance/optimize a pharmacy management system for inmates.

Chudy describes, for example, a system and methods for managing a pharmacy workflow associated with fulfillment of prescription orders for medications and health-related products in a pharmacy environment. Particularly, the system is described as sequencing prescriptions to minimize costs associated with filling of prescription orders, to minimize human involvement in the prescription order fulfillment process, to reduce the amount of time required to fulfill a prescription order, to reduce the spatial [(walking)] distance required to be traveled by pharmacy technicians to fulfill prescription orders, and to reduce the potential for errors in the fulfillment process. Chudy, as a minimum, however, does not disclose, teach, or suggest a system, device, or method that includes provisions for forming a record in a computer indicating a verification of whether a patient actually took the prescribed medication following a verification of receipt by the inmate of the medication; or provisions for verifying suitability of a medication based on a medical record review in a combined automated and/or manual process directed to a relatively comprehensive electronic medical record.

The DOH article by England's Department of Health sets out findings and recommendations supporting a desire/goal to integrate prison pharmacy services into England's national health services, along with an identification that 5-year funding has been allocated to fund future projects to realize the desire/goal. The DOH article, however, does not disclose the actual structure of functional systems, program product, or process steps. In fact, most, if not all of the recommendations provided in the report identify a shortfall in prison pharmacy services without detailing the "hardware" to fix the shortfall. Accordingly, DOH, introduced as allegedly using a pharmacy service for prisoners and sending prescription medication to correctional facilities, does not appear to fill in the blanks missing by Chudy.

Hingorance describes systems and methods for crosshatching biometrics with other identifying data. Hingorance further describes that it is applicable for use in controlled environment facilities, such as a prison or jail. In a section identifying prison uses, Hingorance makes note that inmates may be provided medical services, such as the dispensing of prescription medications, and that proper authentication of the inmate's identity would be desirable in such instance. Hingorance does not, however, disclose or teach the formation of a record indicating the dispensing of a medication, the formation of a record indicating receipt of the medication, or the formation of a record indicating whether or not a patient actually consumed the medicine; or provisions for verifying suitability of a medication based on a medical record review in a combined automated and/or manual process directed to a relatively comprehensive electronic medical record.

Accordingly, Applicants respectfully submit that neither of the cited patent documents, alone or in combination, disclose, teach, or suggest each element of the claimed embodiments of the Applicants invention, which Applicants respectfully request to further discuss during the requested interview.